

### REMARKS

In the Office Action, the Examiner rejected claims 1, 4-7, 9, 11 and 12 under 35 U.S.C. 102(e) as being anticipated by Steeves (US 6,570,487). The Examiner also rejected claims 2, 3, 8, 10 and 13 under 35 U.S.C. 103(a) as being unpatentable over Steeves in view of Meier (US 5,294,931). The Applicants have amended independent claims 1 and 6 as well as dependent claims 3-4 and 12-13. The Applicants have also cancelled claim 2. The Applicants have made the above amendments to the claims and respectfully requests reconsideration of the pending claims in light of the amendments and the following remarks.

Claims 1 and 6 are independent claims and each have been amended to more clearly define the Applicants' invention. Amended independent claim 1 now includes the limitations of original dependant claim 2 and is directed to a method comprising the steps of: receiving a carrier signal; continuously monitoring the carrier signal for a first predetermined condition and a second predetermined condition; and if the first predetermined condition is satisfied, choosing a channel and continuously transmitting data. Data continues to be transmitted until the first predetermined condition subsequently is not satisfied or until the second predetermined condition is satisfied (then the transmission ceases). The first predetermined condition is satisfied when a received power level exceeds a first threshold.

Support for amended claim 1 can be found in the Specification at page 13, line 6 through Page 15, line 6 and FIGS. 7-9. In particular, FIG. 7 shows a block diagram of a tag 110 that includes a channel selection block 240 and a channel modulator 708. FIGS. 8 and 9 show flowcharts of a method that enables and disables group transmissions based predetermined conditions where "the first predetermined transmission condition is met when the instantaneous received power level at the tag 110 exceeds a predetermined threshold." [Specification, Page 13, line 30 – Page 14, line 2] The tag 110 "continuously monitors the received signal strength to determine when to begin transmitting." [Specification, Page 14, lines 8-10] When the first predetermined condition is met, the tag 110 will choose a channel and begin transmitting data. [FIGS. 8, 9] "Once the tag 100 begins modulation and transmission 250 of its data, it is fully

activating.” [Specification, Page 14, lines 10-11] “The fully activated tags in a group will continue to transmit their information in multiple passes . . . until a second predetermined condition is met, at which time they will stop transmitting data.” [Specification, Page 14, lines 13-16] “The second predetermined transmission condition in the preferred embodiment is met when the received power level at tag 110, as observed by tag energy monitor 704, either falls below the first predetermined threshold or exceeds a second predetermined threshold, which is typically set higher than the first predetermined threshold.” [Specification, Page 14, lines 16-20]

Independent claim 6 was amended similar to claim 1 but in the form of an apparatus claim. In particular, the first device includes a receiver, a monitor, a storage medium, and a transmitter. The receiver is configured to receive a carrier signal. The monitor is coupled to the receiver and configured to continually monitor the carrier signal. The storage medium is configured to store data. The transmitter is coupled to the receiver, the monitor, and the storage medium, and configured to choose a channel and to continuously transmit at least a portion of the data when a first condition is satisfied and ceasing transmission when the first condition is subsequently not satisfied or when a second condition is satisfied.

Dependent claims 3-4 and 12-13 were amended to conform to amended independent claims 1 and 6.

The reader in Steeves uses a higher cost method that includes a two-way data transmission that specifically polls and addresses tags to tell the tags when to transmit through an activation signal. [Steeves, Col. 3, line 65 – Col. 4, line 5; Col. 7, lines 38-44] The activation signal is received by all tags within range and causes the tags to go into an active state. [Steeves, Col. 7, lines 44-47] Once in the active state, the tags evaluate the request sent by the reader. [Steeves, Col. 7, lines 47-50] The tag then assembles a data packet and monitors the RF traffic before transmitting. [Steeves, Col. 8, lines 5-16] In contrast, the claims of the present application recite that a received power level is used to control transmissions. The tag will continuously transmit data between a time period of when a first predetermined condition is satisfied (received power level exceeds a first threshold) and either a first predetermined condition is not satisfied

(received power falls below the first threshold) or when a second predetermined condition is satisfied. Steeves does not teach that this type of predetermined conditions nor that transmissions are controlled based on conditions of a received power level.

The reader in Meier uses a pulsed carrier which turns off before the tag data transmission begins. [Meier, Col. 5, line 26-38]. In the present invention, the carrier signal recited in the claims stays on during tag transmission ("continuously monitoring the carrier signal"). The tags in Meier will stop transmitting after a fixed amount of data (answer signal) has been sent. In contrast, the claims of the present invention recite that the tags will continue to transmit as long as the received carrier signal is present (within the predetermined power limits). The present invention advantageously allows activation of many tags at once where the reader in Meier activates only one tag at once in order to avoid transmission collision. [see Meier, Col. 2, lines 42-49]

It is respectfully submitted that neither Steeves and Meier teach a system that continuously transmits data between a time period of when a first predetermined condition is satisfied (received power level exceeds a first threshold) and either a first predetermined condition is not satisfied (received power falls below the first threshold) or when a second predetermined condition is satisfied. Accordingly, the Applicants believe that there is a patentable distinction between the enabling/disabling of group transmissions and the systems described in the cited references.

Pending claims 3-5 depend on independent claim 1. Pending claims 7-13 depend on independent claim 6. These dependent claims are believed to be allowable for at least the same reasons discussed above.

As the Applicants believe that the amendments overcome all substantive rejections and objections given by the Examiner and have complied with all requests properly presented by the Examiner, the applicants contend that this Amendment, with the above discussion, overcomes the Examiner's objections to and rejections of the pending claims. Therefore, the applicants respectfully solicit allowance of the application. If the Examiner is of the opinion that any issues regarding the status of

the claims remain after this response, the Examiner is invited to contact the undersigned representative at (847) 862-0153.

Respectfully submitted,  
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